Stay Vacation App. No. 1136 of 2005
In
C 482 No. 404 of 2005

Hon. P.C. Pant, J.

Heard learned counsel for the respondent No. 2, who has drawn attention of this Court to the order dated 01.04.2005 passed by this Court in Criminal Misc. Application No. 179 of 2004, whereby a petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing the proceedings of criminal case No. 890 of 2003; Anil Kumar Vs. Rupesh and others, under Section 323, 504 and 506 of the I.P.C. was dismissed.

The present petition moved under Section 482 of the Code of Criminal Procedure, 1973 doesn't disclose this fact that earlier the petitioners have moved application with similar prayer in respect of same case. Rather, it has been mentioned in paragaraph 1 of the present petition that it is the first criminal misc. application moved by the applicants. it is prima facie a case of concealment of facts.

In view of said fact the interim order passed by this Court on 1st July, 2005 is hereby vacated and the present petition under Section 482 of the Code of Criminal Procedure, 1973 is dismissed.

(P.C. Pant, J.)

Dt. 21.12.2005
HN